

May 20, 2003

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:30 p.m. in the Council Chambers. Councilmembers present were: Cole, Dorning, McCormick, Misener, Plackett, and Robinson.

#### PROCLAMATION

The Mayor read a proclamation declaring May 18-24, 2003 National Public Works Week in the City of Redmond. The Mayor presented the proclamation to Steve Durham, member of the Public Works Department street maintenance crew.

#### ITEMS FROM THE AUDIENCE

Arnold Tomac, 18119 NE 30 Street, said there are two reasons for the traffic congestion in east Redmond. One is the signal at the end of State Route 520, Redmond Way and East Lake Sammamish Parkway NE and the other is the signal at Avondale Road and Union Hill Road, he explained. He urged the Council to consider an overpass at Avondale Road and Union Hill Road to help alleviate the backup and expedite bypass traffic. He suggested that the Council consider this improvement when reviewing the 2003 - 2009 Six Year Transportation Improvement Plan at the May 27, 2003 study session.

Rebecca LaBrunerie, Chair, Redmond Arts Commission, briefly outlined the Commission's workplan for this year. She noted the Council's receipt of the Arts Commission's 2002 Annual Report.

The Mayor announced that Redmond Arts Day and awards will occur at the June 17, 2003 Council meeting.

#### INTRODUCTION

James L. Roberts, Deputy Planning Director, introduced Anja Galle, Planning Intern from Berlin, Germany, who will be with the city until June 2003.

#### EXCUSE COUNCILMEMBER PAINE

Motion by Mr. Cole, second by Ms. McCormick, to excuse Mr. Paine. Motion carried unanimously (6 - 0).

#### CONSENT AGENDA

Motion by Ms. Dorning, second by Ms. McCormick, to approve the following items of the Consent Agenda:

- (1) approve the minutes of the regular meeting of May 6, 2003

- (2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#154874 through 154990; and  
#109499 through 110052     \$1,103,048.19

CLAIMS CHECKS:

#205172 through 205691     \$1,606,674.43

- (3) authorize the Mayor to sign a revised Interlocal Agreement for the Hazardous Materials Response Unit and Team
- (4) approve the King County Emergency Services Advanced Life Support (ALS) Service Contract for the Year 2003, and authorize the Mayor to sign the contract
- (5) approve the King County Emergency Medical Services "Basic Life Support Service Contract for the Year 2003", and authorize the Mayor to sign the contract
- (6) authorize the Mayor to sign a Consultant Agreement with Economic and Engineering Services, Inc. (EES) for engineering services for the City of Redmond's Water System Vulnerability Assessment in an amount not to exceed \$90,000, including contingency
- (7) approve a Consultant Agreement with Entranco, Inc. for a hydraulic study of the Villa Marina stream channel, Project No. 02-NR-37, in an amount not to exceed \$32,000, including contingency; and authorize the Mayor to sign the agreement
- (8) approve award of bid for the Grass Lawn Park Softball Field and Tennis Courts, Project No. 03-CI-65, to Wyser Construction, Inc., Bothell, Washington, for the total amount bid of \$1,432,862, plus Alternate Nos. 2, 3, 4, 5 and 7 (\$353,050), and

Washington State sales tax; and authorize the Mayor to sign the contract. Bidders were:

Wyser Const. Inc.	\$1,432,862
Ohno Const. Co.	1,561,243
A-1 Landscaping & Construction, Inc.	1,577,797
Grade, Inc.	1,799,902
Architect's Est.	1,369,548

- (9) approve Supplemental Consultant Agreement No. 2 for Perrigo Community Park, Project No. 95-CI-80, in the amount of \$150,000 with Bruce Dees & Associates, Landscape Architects, Tacoma, Washington, for construction, coordination, review, observation and mitigation planting monitoring services; and authorize the Mayor to sign the agreement
- (10) approve Addendum A to the Lease of Old Redmond Elementary School Property, and authorize the Mayor to sign the addendum
- (11) approve an amendment to the Bellevue-Redmond Overlake Study (BROTS) Update Interlocal Agreement and authorize the Mayor to sign the amendment

Motion carried unanimously (6 - 0).

## REPORTS

### Staff Report - Mosquito Control

The Mayor, in a memorandum to the City Council dated May 20, 2003, updated the Council on the city's West Nile Virus Response Plan.

Councilmember McCormick inquired whether or not Redmond would be applying for a permit for the use of larvicides. Jon Spangler, Natural Resources Division Manager, replied Redmond will be applying for the permit, just in case, but staff does not anticipate the necessity of any significant spraying effort at this time.

Councilmember McCormick said she would have liked the report to have addressed detention ponds. Mr. Spangler answered staff has looked at the city's stormwater ponds and done some informal monitoring; samples were taken at the new Scott Pond last fall, and mosquito larvae were not found. Staff plans to analyze samples from other ponds that have

little summer inflow or stagnant water, he added. Staff will continue to monitor the ponds throughout the year, and if mosquitoes do become a problem, the focus will be on the use of natural controls such as aeration or native species that are natural predators. Chemicals would be used as a last resort, he concluded.

Councilmember Cole noted that the Council had also received a report from the Seattle/King County Public Health Department on this issue.

#### Staff Report - District Court Services Update

The Mayor, in a memorandum to the City Council dated May 20, 2003, gave an update on the status of municipal court services options, and outlined upcoming issues for the future of court services in Redmond.

Councilmember Robinson asked if Redmond should open its own court, would it serve Redmond citizens, or neighboring jurisdictions, as well? Nina Rivkin, Senior Policy Analyst, said it would be a Redmond Municipal Court, and it could provide services to neighboring jurisdictions through an interlocal agreement. She added, hopefully, the King County Council's review of the court services will result in a county decision to continue to provide court services to cities.

#### Staff Report - Marymoor Park Event Update

Commander Ed Billington gave a status report on the work the city is doing with King County to try to reach an agreement about mitigating traffic and noise in Redmond during the 19 events that will take place at Marymoor Park this summer. He said the King County Parks Department will install a sound system that should mitigate the low bass sounds and loudness. With respect to traffic, he continued, King County Parks is only selling 5,000 tickets per event, and most of the event attendees are expected to arrive at the park within the two hour period prior to the 7:00 p.m. start time. He noted that traffic congestion should be less than if all the attendees arrived at one time.

Commander Billington said the first concert is June 7, 2003 and staff is holding a community meeting at the Clise Mansion on May 22, 2003 with the neighbors to the west of park to educate the neighbors on potential impacts. He concluded that staff would provide a status report to the Council after that meeting.

PUBLIC HEARING - PUGET SOUND ENERGY (PSE) FRANCHISE AGREEMENT

The Mayor opened the public hearing at 8:08 p.m.

Rob Crittenden stated that the last franchise agreement expired in 1993. He explained that negotiations for a new franchise were stalled until the 2002 settlement agreement between PSE and the Coalition of Cities, on the appeal of the underground conversion tariff, laid the groundwork to resolve the outstanding issues. He noted the Council will not be taking action until the next regular meeting on June 3, 2003.

Hearing no testimony, the Mayor declared the public hearing closed at 8:10 p.m.

OMBUDSMAN REPORT

Councilmember Misenar stated that he had not received any communications other than responses to the Council's direction on the implementation of the West Lake Sammamish Parkway Improvements Project.

Councilmember Cole received a complaint about panhandling in the Bear Creek Shopping Center area. He said he passed the complaint along to the Police Department.

ORDINANCE: DGA02-004, ADOPTION OF REGULATIONS RELATING TO RELOCATION OF STRUCTURES WITHIN THE CITY OF REDMOND (CONTINUED FROM May 6, 2003)

Motion by Ms. McCormick, second by Ms. Dorning, to approve Ordinance No. 2160, adopting the Planning Commission's recommended amendment for revising and adopting regulations relative to the movement of structures within the City of Redmond, as stated under Alternative A.

Ordinance No. 2160, relating to relocation of structures within the city; adding new definitions to Chapter 20A.20 of the Redmond Municipal Code and Redmond Community Development Guide; amending Sections 20F.30.15, and 20E.20.10; providing for severability and establishing an effective date, was presented and read.

Upon a poll of the Council, Cole, Dorning, McCormick, Misenar, Plackett, and Robinson voted aye. Motion carried unanimously (6 - 0).

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AWARD OF BID AND SUPPLEMENTAL AGREEMENT NO. 5, WEST LAKE  
SAMMAMISH PARKWAY NE 51 STREET TO MARYMOOR WAY, PROJECT NO. 98-  
CI-71

The Mayor, in a memorandum to the City Council dated May 20, 2003, recommended approval of the award of bid.

Motion by Ms. Dorning, second by Ms. McCormick, to approve award of bid for the West Lake Sammamish Parkway Improvements, NE 51 Street to Marymoor Way, Project No. 98-CI-71, to Wilder Construction Co., Everett, Washington, for the total amount bid of \$5,641,551.45, including Washington State sales tax, and authorize the Mayor to sign the contract; and approve Supplemental Agreement No. 5 with Entranco, Inc. for additional final design services, construction engineering, and environmental construction and habitat monitoring services for West Lake Sammamish Parkway Improvements, Project No. 98-CI-71, in an amount not to exceed \$542,854, and authorize the Mayor to sign the agreement. The bidders were:

Wilder Construction	\$5,641,551
Mid-Mountain Contractors	6,182,290
SCI Infrastructure, LLC	6,417,724
Thomco Construction	6,499,222
KLB Construction	6,970,068
Gary Merlino Construction	7,670,846
Engineer's Estimate	6,954,304

Councilmember Robinson noted that the cost for this project increased by a magnitude of four from the 1999 - 2000 budget estimate.

Councilmember McCormick asked why the contingency amount was more than ten percent? Bill Campbell, Assistant Director of Public Works, explained that the lowest bid was significantly less than the engineer's estimate, so the difference was put in as contingency. It will eventually be transferred to the Transportation Capital Investment Program for re-allocation, he concluded.

Motion carried (5 - 1) with Robinson voting nay.

CONSULTANT AGREEMENT FOR TRANSPORTATION MASTER PLAN AND RELATED  
TASKS, PROJECT NO. 02-CI-17

The Mayor, in a memorandum to the City Council dated May 20, 2003, recommended approval of the consultant agreement.

Motion by Ms. Dorning, second by Mr. Cole, to approve the findings that the city should continue developing a Transportation Master Plan that begins to develop and integrate transportation into the city's Comprehensive Plan update; Charlier and Associates is the most qualified firm to undertake these services; the fair and reasonable price for providing services for the Transportation Master Plan and related tasks is \$166,743; and to approve the consultant agreement and authorize the Mayor to sign the agreement. Motion carried unanimously (6 - 0).

ORDINANCE: CURRY PLANNED RESIDENTIAL DEVELOPMENT, PPL02-001/  
PRD02-001 (QUASI-JUDICIAL)

Geoffrey Thomas, Planner, described the proposal, and pointed out the affected parcels on a vicinity map.

Motion by Ms. Dorning, second by Mr. Robinson, to adopt Ordinance No. 2161, implementing the April 14, 2003 Hearing Examiner recommendation, including findings of fact, conclusions of law, and conditions of approval to allow development of the Curry Planned Residential Development.

Ordinance No. 2161, adopting the Hearing Examiner's April 14, 2003 recommendation to approve with conditions the Curry Planned Unit Development (PRD02-001) and preliminary plat (PPL02-001), and establishing an effective date, was presented and read.

Upon a poll of the Council, Cole, Dorning, McCormick, Misenar, Plackett, and Robinson voted aye. Motion carried unanimously (6 - 0).

ORDINANCE: ZILL COMPREHENSIVE PLAN LAND USE MAP CHANGE, DGA02-014

The Mayor, in a memorandum to the Council dated May 20, 2003, recommended approval of the land use map change.

Motion by Ms. McCormick, second by Ms. Dorning, to adopt Ordinance No. 2162, approving the land use map change in designation from large lot residential to low-moderate density residential and rezone 2.68 acres from R-1 to R-4 on property located at the intersection of NE

116 Street and 169 Court NE, in accordance with the Planning Commission recommendation.

Councilmembers Misenar and Cole were concerned that approval of this action would be considered spot zoning.

James E. Haney, City Attorney, explained that spot zoning is singling out a piece of property for zoning that is not specified in the Comprehensive Plan. He said the proposed action does not constitute spot zoning in that it is adjacent to R-4, and just changes boundaries of R-4 to be in a different place. Rob Odle, Policy Planning Manager, added that approval of this action would increase the size of the R-4 zone.

Ordinance No. 2162, approving DGA02-014, amending the Redmond Community Development Guide land use map and rezoning 2.68 acres located at NE 116 Street and 169 Court NE from Large Lot Residential to Low-Moderate Density Residential, and from R-1 to R-4; and establishing an effective date, was presented and read.

Upon a poll of the Council, Dorning, McCormick, Plackett, and Robinson voted aye. Motion carried (4 - 2) with Cole and Misenar voting nay.

#### COMMITTEE REPORTS

##### Committee Report - Development Review Oversight Committee

Councilmember Dorning reported that the Development Review Oversight Committee met on May 16, 2003. Lynda Aparicio, Planner, gave a report on streamlining the permit process and the Committee discussed upcoming issues. Councilmember Dorning announced that the Committee meeting time has been changed to the first Monday of the month at 4:00 p.m., but due to the Fourth of July holiday, the next meeting will be on July 14, 2003.

##### Committee Report - Public Safety Committee

Councilmember McCormick announced that the Public Safety Committee will meet on Wednesday, May 28, 2003, and discuss Fire Department current response times, a discussion with the Police Department on domestic violence policies, and the review processes involved when there are citizen complaints.

##### Committee Report - Parks and Human Services Committee

Councilmember Plackett said at the last meeting the Committee discussed the Redmond Youth Partnership folding



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into Parks Department. She said the Parks and Recreation Director will bring a report to the Council.

EXECUTIVE SESSION AND ADJOURNMENT

At 8:35 p.m. the Mayor recessed the Council meeting. The Council held an executive session on property acquisition until 8:43 p.m. There being no further business to come before the Council, the Mayor declared the meeting adjourned at 8:44 p.m.

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MAYOR

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CITY CLERK